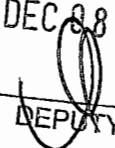


December 8, 2021

Honorable Yvette Kane
United States District Court for the Middle District of Pennsylvania
228 Walnut St., #830
Harrisburg, Pa 17101

Re: **Quantum Communications LTD v. Edward Martin, et. al.**
No: **1:17- cv - 01640**

FILED
HARRISBURG, PA
DEC 8 2021
PER  DEPUTY CLERK

Dear Judge Kane,

This correspondence is in response to the Court's request to review the possible applicability of Pennsylvania Rule of Professional Conduct 3.7 to my trial representation in the above listed matter.

Quantum Communications LTD, the Plaintiff in this matter, is a business entity owned solely by myself. While I believe that Rule 3.7 would not prohibit an attorney from the pro se litigation of matters wherein the attorney is acting as a litigant, I concede that my representation of Quantum – an established business entity - at trial may be problematic.

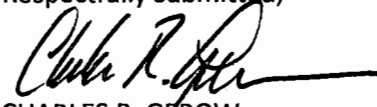
It is a fairly unique issue and counsel did not find precedent in the Middle District. However, The Supreme Court's holding in *Rowland v. California Men's Colony*, 506 U.S. 194, 113 S. Ct. 716, 121 L. Ed. 2d 656 (1993), strongly suggest that pro se representation of a business entity, even if solely owned by counsel, should not be pursued. As such, I request the Court's indulgence in allowing Plaintiff reasonable time to obtain substitute counsel for trial.

Plaintiff would also request that the Court review the applicability of Rule 3.7 to Defendant's counsel in this matter. We believe that the above applies equally to Attorney Schlafly as he has been listed as a necessary witness in Plaintiff's Case Management Plan, filed at the outset of this matter. This was done long ago and before the issue above was ever raised, due to his role as a Director/Officer of Eagle Forum Education and Legal Defense Fund and Eagle Forum. Attorney Schlafly was directly involved in the events at issue in this case. Additionally, Attorney Schlafly has been involved in other events since the time of that filing which would additionally require him to testify in this matter.

We remain anxious to have this matter set for trial and reiterate our willingness to have this tried without a jury, either by a bench trial before This Honorable Court or before a Magistrate Judge.

Thank you for your consideration and attention to this matter.

Respectfully submitted,


CHARLES R. GEROW

CERTIFICATE OF SERVICE

I, Charles R. Gerow, Esquire, hereby certify that the letter to The Honorable Yvette Kane, dated December 8, 2021 was this day served on Andrew Schlafly, Esquire, counsel for Defendants in the matter by e-mail at aschlafly@aol.com, Andrea Shaw at Andrea@ashawlaw.com and Robert Bozdin at rbozdin@kleinbard.com.

BY:



CHARLES R. GEROW, ESQUIRE

December 8th, 2021